

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/089,523
Attorney Docket No. Q69144

REMARKS

Claims 1-7 and 11-13 are all the claims pending in the application.

Claims 1-7 and 11-13 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Okanishi et al (U.S. Pat. No. 6,476,144). Further, claims 1-7 and 11-13 were rejected under 35 U.S.C. § 102(e) as being anticipated by Albano et al (U.S. Pat. No. 6,395,834).

In response, Applicants herewith submit a verified English translation of Applicants' priority document, JP Appln. No. 277995/1999, to perfect their claim to foreign priority, and thereby remove both Okanishi et al and Albano et al as prior art against claims 1-4, 6, 7, 11 and 12. Both Okanishi et al and Albano et al have § 102(a) and/or § 102(e) dates subsequent to Applicants' September 30, 1999 priority date. Section 112 support for the present claims 1-4, 6-7 and 11-12 in the priority document is summarized below.

Present Claims

JP '995

1	claim 1; page 10, 3 rd full paragraph
2	claim 2; page 10, 3 rd full paragraph
3	claim 3; page 10, 3 rd full paragraph
4	claim 4; page 10, 3 rd full paragraph
6	claim 5; page 10, 3 rd full paragraph
7	claim 6; page 10, 3 rd full paragraph
11	page 5, 4 th full paragraph
12	page 12, 6 th paragraph

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Withdrawal of the foregoing rejections under 35 U.S.C. § 102(e) as to claims 1-4, 6, 7, 11 and 12 is respectfully requested.

Notwithstanding submission of the verified English translation of the priority document to thereby perfect their claim to foreign priority, Applicants respectfully submit that present claims 1-7 and 11-13 are separately patentable over Okanishi et al for the following reasons.

Okanishi et al relates to a melt-processable resin composition, but not to a transparent elastomer composition as required by the present claims. That is, the matrix polymer of Okanishi et al is a resin, but not an elastomer. The portions relied upon by the Examiner refer to a minimizing agent, which is not the matrix polymer.

Moreover, Applicants separately traverse the rejection of claims 5 and 13 over both Okanishi et al and Albano et al for the following.

Claims 5 and 13 further require a specific haze value, whereas both Okanishi et al and Albano et al are silent as to haze value. Furthermore, it is respectfully submitted that the Examiner has not set forth sufficient basis for concluding that either of Okanishi et al and Albano et al would inherently meet the claimed haze value of not more than 50%.

For the above reasons, it is respectfully submitted that claims 5 and 13 are patentable over each of Okanishi et al and Albano et al, and withdrawal of the foregoing rejections under 35 U.S.C. § 102(e) to claims 5 and 13 is respectfully requested.

Reconsideration and allowance of claims 1-7 and 11-13 are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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